

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13216 of 2017

Arising Out of PS.Case No. -336 Year- 2016 Thana -BODHGAYA District- GAYA

- =====
1. Sanjay Sao, son of late Ayodhya Sao, resident of village- Dhandhawa, police station- Bodh Gaya, District-Gaya
 2. Santu Kumar, son of Chalitar Sharma, resident of Sailun Dukan, Bhagalpur More, police station- Bodh Gaya, District-Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sri Rajkishore Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 18-03-2017 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners apprehend their arrest in connection with Bodh Gaya P.S. Case No. 336 of 2016 instituted for the offences punishable under Sections 420, 406 and 34 of the Indian Penal Code and Sections 3/4/6 of the Prize Chifs and Money Serculation Scheme (Banning) Act, 1978.

The informant happens to be Police Officer, who on secret information regarding running of a non-banking organization conducted raid and seized incriminating articles from the rented house of co-accused Raju Kumar and registered the present case against him and this petitioner.

The learned counsel for the petitioners submits that



these petitioners have no concern with the alleged business of the said Raju Kumar. There is nothing against these petitioners to show their complicity in collection of money from any of the person of the locality. The said accused Raju Kumar has been allowed bail by the learned Sessions Judge considering the fact that not a single witness supported the prosecution case. The learned counsel referred the order of Sessions Judge passed on 16.10.2016 in B.P. No. 354 of 2016.

The learned APP, on the other hand, opposed the submission.

On perusal of F.I.R., I find that no specific allegation has been levelled against these petitioners. From the order of the learned Sessions Judge passed in B.P. No. 354 of 2016, I find that the main accused Raju Kumar has been allowed bail as none of the witnesses supported the prosecution version as recorded in paragraph nos. 7, 8, 15, 16, 17, 18 and 19.

In the facts and circumstances of the case, the anticipatory bail application is allowed. The petitioners, above named, in the event of arrest / surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Gaya in connection with Bodh Gaya P.S. Case No.
336 of 2016, subject to the condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sanjay Kumar, J)

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